

REMARKS

In the Office Action, claims 4 and 9 were objected to on the ground that they were informal. In response, claim 4 has been canceled and claim 9 has been amended to delete the term "thanks to" and to insert the word "by". For these reasons, it is requested that the objection be withdrawn.

Claims 1, 2, and 4-6 were rejected as being unpatentable over Bragdon in view of Eggert et al.(Eggert).

Reconsideration is requested.

The need for the applicants device is described in the specification at pages 1 and 2 as being based on the fact that rechargeable batteries do not maintain a charge during the normal shelf life where a battery is shipped from where it is manufactured and placed in a retail environment where it may completely lose its charge prior to sale. This problem is solved by the present invention which combines a point of sale display device with a recharging device that charges multiple batteries in a single package.

Claim 1 has been amended by combining claims 1, 11, 12 and 13. This amended claims points out a point of sale battery display and charger that is no made obvious by the prior art. .

Bragdon discloses a battery recharging device which can recharge multiple batteries but it does not include automatic selection and supply means where an electronic panel (50) selects at least one battery pack (5) that contains the most highly charged batteries (6) on the display. This feature is pointed out in amended claim 1 and it has the advantage of providing a customer with a charged battery at the time of sale . This is important when a display has been recently restocked and different batteries have different charge levels. Bragdon describes a charging

system where if a battery is inserted with the polarity reversed, a signal is generated that interrupts the charging current. The intended use of the Bragdon charging device is for the recharging of batteries that are used for devices that monitor patients vital signs in a hospital setting. The device charges batteries and indicates whether or not a charging cycle is complete. This does not suggest a point of purchase device where the degree of charge is detected so that a prospective purchaser will obtain the battery pack with the highest level of charge.

The Eggert patent discloses a portable auxiliary battery charging battery pack. This device is adapted for maintaining the charge in a lead acid battery that is for stand-by use in jump-starting an automobile engine. This device does not suggest a battery charger-point of purchase display and has none of the features that are pointed out in claim 1 with regard to the automatic selection and supply means where an electronic panel (50) selects at least one battery pack (5) that contains the most highly charged batteries (6) on the display. There is no reason to combine Bragdon and Eggert other than the present application as these references are concerned with completely different applications and when considered alone or in combination, they do not suggest the device of amended claim 1 and the claims that depend from amended claim 1. For these reasons, it is requested that this ground of rejection be withdrawn.

Claims 7-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bragdon in view of Eggert and Wang.

Reconsideration is requested.

The Bragdon and Eggert patents have been distinguished from amended claim 1 and the claims that depend from amended claim 1 above. Claims 7-9 are dependent on amended claim 1 and are patentable over Bragdon and Eggert for the same reasons that have been given above. The Wang patent discloses a battery charger that is designed to charge different batteries. Nothing in Wang suggests a point of purchase display-charger and nothing in Wang suggests the automatic selection and supply means where an electronic panel (50) selects at least one battery

pack (5) that contains the most highly charged batteries (6) on the display. For these reasons, it is requested that this ground of rejection be withdrawn. Claims 11-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bragdon in view of Eggert in view of Malaspina.

Reconsideration is requested.

The Bragdon and Eggert patents have been distinguished from amended claim 1 and the claims that depend from amended claim 1 above. Claims 11-13 have been combined with amended claim 1 and claims 14-19 are now all dependent on amended claim 1.

The Malaspina patent discloses a battery charger that has no provision for linking batteries together at a point of sale. In addition the concept of charging battery packs that are connected in series, as pointed out in amended claim 1, is not suggested by Malaspina and nothing in Malaspina suggests a point of sale battery charger having automatic selection and supply means where an electronic panel (50) selects at least one battery pack (5) that contains the most highly charged batteries (6) on the display. The Malaspina patent describes a system where discharged batteries are placed in a vending machine containing a charger and the vending machine tests the batteries to determine if they are suitable for recharging and resale. Batteries that are suitable for resale are charged in the vending machine and stored for resale through the vending machine's controls. This does not suggest the claimed invention which provides an automatic system for providing batteries at a point of purchase where the batteries having the highest degree of charge are identified to a prospective purchaser in order to accommodate the restocking and recharging of batteries that have lost at least a part of their charge, at the point of sale. For these reasons, the combined teachings of Bragdon, Eggert and Malaspina fail to make obvious the subject matter of amended claim 1 and the claims that depend from amended claim 1. For these reasons, it is requested that this ground of rejection be withdrawn. it is requested that this ground of rejection be withdrawn.

Claim 10 was rejected as unpatentable under 35 U.S.C. §103(a) over Bragdon in view

of Eggert and in view of Flowerdew.

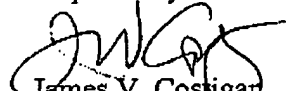
Reconsideration is requested

The Bragdon and Eggert patents have been distinguished from amended claim 1 and the claims that depend from amended claim 1 above. Claim 10 depends from amended claim 1 and it is patentable for the same reasons that amended claim 1 is patentable. Flowerdew does not supply any information that makes obvious a point of sale battery charger having automatic selection and supply means where an electronic panel (50) selects at least one battery pack (5) that contains the most highly charged batteries (6) on the display. For these reasons, it is requested that this ground of rejection be withdrawn.

New claim 20 is a combination of original claims 1, 3, 11, 12, 13, 16, 17, 18 and 19. The cited patents do not make new claim 20 unpatentable because they fail to suggest a point of purchase display-charger having the features of claim 20. In particular, new claim 20 points out a point of sale battery charger having automatic selection and supply means where an electronic panel (50) selects at least one battery pack (5) that contains the most highly charged batteries (6) on the display. The diverse chargers, portable chargers and vending machines of the cited prior art do not make obvious the combined elements of new claim 20. For these reasons, it is requested that new claim 20 be favorably considered.

An early and favorable action is earnestly solicited

Respectfully submitted,


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